

Court No. - 91

Case :- ORIGINAL SUIT No. - 1 of 2023

Plaintiff :- Bhagwan Shrikrishna Virajman At Katra Keshav Dev
Khewat No. 255 And 7 Others

Defendant :- U.P. Sunni Central Waqf Board And 3 Others

Counsel for Plaintiff :- Devki Nandan Sharma,Prabhash
Pandey,Pradeep Kumar Sharma

Counsel for Defendant :- Nasiruzzaman,Gulrez Khan,Hare
Ram,Nasiruzzaman,Punit Kumar Gupta

Hon'ble Mayank Kumar Jain,J.

1. S/s Harishankar Jain, Prabash Pandey, Shailendra Singh and Ms. Reena N. Singh through video conferencing and Radhey Shyam Yadav, Pradeep Kumar Sharma, Anil Kumar Bisen, Mahendra Pratap Singh, Rama Goel Bansal, Shalini Goel, Vinay Sharma, Ajay Kumar Singh, Saurabh Basu, Gopal Srivastava, Anshul Kumar Singhal, Alok Kumar Dubey, Ramanand Gupta, Harshit Gupta, Absishek Srivastava, Ajay Pratap Singh, learned counsel and Ashutosh Pandey (in person) present for plaintiffs.

2. S/s Nasiruzzaman, Mahmood Pracha (through video conferencing), Puneet Kumar Gupta, Hare Ram Tripathi, Pranav Ojha, W.H.Khan, Tanveer Ahmad Khan, Poorva Agarwal, Devendra Mishra and Vipul Dubey learned counsel for the defendants.

3. At the outset Shri Nasiruzzaman, learned counsel for the defendant no. 2, submitted that the Hon'ble Apex Court vide order dated 16.01.2024 passed in Petition(s) for Special Leave to Appeal (C) No(s). 481/2024 has directed that:-

"The proceedings before the High Court will continue. However, the Commission will not be executed till the next date of hearing."

4. An application, numbered as **A-26**, under Order XXVI Rule 9 and 10 read with Section 151 of Civil Procedure Code is moved by Shri Prabash Pandey and Shri Vishnu Shankar Jain, learned counsel for appointment of Revenue Surveyor on behalf of plaintiffs. The copy of the aforesaid application is provided to learned counsel for the defendant nos. 2 and 3. Objections against aforesaid application may be filed.

5. Objection, numbered as **A-27**, against the impleadment

application filed by Shri Ashutosh Pandey, are filed by Shri Prabash Pandey and Shri Vishnu Shankar Jain, advocates.

6. Application under Order I Rule 8 read with Section 151 Civil Procedure Code is moved on behalf of plaintiffs in Original Suit No. 1/2023 which is numbered as **A-28**. The copy of the aforesaid application is provided to learned counsel for defendant nos. 2 and 3. Objections against aforesaid applications may be filed.

7. The learned counsel, other than the counsel of plaintiff no. 1 in OSUT No. 7, submitted that they have filed their objections against the application moved under Order I Rule 8 C.P.C. by plaintiff no. 1. Therefore, this application may be heard today. Ms. Reena N Singh, learned counsel for plaintiff no. 1 submitted that the objection is not received to her. Shri Anil Kumar Singh, learned counsel present on behalf of plaintiff no. 1 submitted that he has already received the objections.

8. In **OSUT No. 01/2023, 02/2023, 04/2023, 05/2023, 06/2023, 07/2023, 08/2023, 09/2023, 12/2023, 15/2023, 16/2023** applications for rejection of plaint are pending. Office has been informed that only in OSUT No. 04/2023 and 07/2023 objections have been filed. It is directed that in all the related matters objection be filed.

9. This Court vide order dated 11.01.2024 has consolidated all the original suits and OSUT No. 1/2023 was made a leading case. Several applications of the parties, pertaining to their respective suits, are pending for consideration. This Court feels the assistance of an Amicus Curie to assist the Court.

10. In view of the above, Shri Manish Goel, Senior Advocate is appointed as Amicus Curie to assist the Court in the matter.

11. The office is directed to inform Shri Manish Goel, advocate accordingly and to provide him relevant records.

12. Shri Ashutosh Pandey who is one of the plaintiffs, in OSUT No. 04/2023 moved an application that he is receiving repeated threat to his life for persuading the present proceedings. In his application he has mentioned incident dated 06.01.2024, 15.01.2024 and 16.01.2024. A pendrive is also enclosed. Further, he prayed that S.S.P. Mathura may be directed to provide adequate security to him.

13. The applicant, Ashutosh Pandey may approach the proper

authorities to address his grievance.

14. Put up this matter on 30.01.2024 at 2:00 p.m.

Order Date :- 17.1.2024

Mohit